



HISTORIC PRESERVATION COMMISSION

Marc Elrich
County Executive

Sandra I. Heiler
Chairman

Date: January 15, 2020

MEMORANDUM

TO: Hadi Mansouri
Department of Permitting Services

FROM: Michael Kyne
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #899504: Tree removal

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **Approved** at the January 8, 2020 HPC meeting.

The HPC staff has reviewed and stamped the attached construction drawings.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: Thomas Twomey
Address: 7106 Maple Ave., Takoma Park

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made. Once work is complete the applicant will contact Michael Kyne at 301.563.3400 or michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.



EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address: 7106 Maple Ave., Takoma Park

Meeting Date: 1/8/2020

Resource: Outstanding Resource
Takoma Park Historic District

Report Date: 12/31/2019

Applicant: Thomas Twomey

Public Notice: 12/24/2019

Tax Credit: No

Review: HAWP

Staff: Michael Kyne

Case Number: 37/03-20E

PROPOSAL: Tree removal

STAFF RECOMMENDATION:

- Approve
- Approve with conditions

REVIEWED
By Michael Kyne at 3:22 pm, Jan 15, 2020

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Outstanding Resource within the Takoma Park Historic District
STYLE: Italianate (Fourplex)
DATE: 1907

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 Historic Preservation Commission
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Fig. 1: Subject property.

PROPOSAL:

The applicant proposes to remove one decaying 39” dbh white oak tree from the subject property. The tree is located at the rear/left (southwest) side of the subject property and is approximately 20’ from the rear porch.

APPLICABLE GUIDELINES:

Policy On Use of Expedited Staff Reports for Simple HAWP Cases

IV. The Expedited Staff Report format may be used for the following type of cases:

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2. Modifications to a property, which do not require a permit, that are compatible with the visual character of the historic site or district.

15. Landscaping, or the removal or modification of existing planting, that is compatible with the visual character of the historic site or district.

Montgomery County Code; Chapter 24A-8

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- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to ensure conformity with the purposes and requirements of this chapter, if it finds that:
 - (1) The proposal will not substantially alter the exterior features of an historic resource within an historic district; or
 - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (*Ord. No. 9-4, § 1; Ord. No. 11-59*)

Secretary of Interior’s Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” The *Standards* are as follows:

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), (2) & (d) having found that the proposal is consistent with the *Takoma Park Historic District Guidelines*, and therefore will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A:

and with the *Secretary of the Interior's Standards for Archeological and Historic Preservation* #2;

and with the general condition that the applicant shall present the 3 permit sets of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.

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HISTORIC PRESERVATION COMMISSION
301/563-3400

Received in DPS
log # 446944
DPS-#8
DEC 13 2019

APPLICATION FOR HISTORIC AREA WORK PERMIT

Assigned To: None

tomatwomey@gmail.com

Contact Email: tomatwomey@gmail.com Contact Person: Tom Twomey
Daytime Phone No.: 434-964-1340
Tax Account No.: 187-30-4065 Social Security
Name of Property Owner: Thomas Twomey Daytime Phone No.: 434-964-1340
Address: 650 Gilliams Ridge Rd. Charlottesville, VA 22903
Street Number City State Zip Code
Contractor: Adirondack Tree Experts Phone No.: 301-595-2827
Contractor Registration No.: #1210
Agent for Owner: Thomas Twomey Daytime Phone No.: 434-964-1340

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By Michael Kyne at 3:23 pm, Jan 15, 2020

House Number: 700 Street: Maple Avenue
Town/City: Takemc Park Nearest Cross Street: Tulip + Maple Ave
Montgomery County
Lot: Block: 25 Subdivision: District 13
Historic Preservation Commission
Liber: Folio: Parcel: Tax Class R074
Refuse area R42

899504

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE
Structural, Skeler
 Construct Extend Alter/Renovate
 Move Install Wreck/Raze
 Revision Repair Revocable

CHECK ALL APPLICABLE:
 A/C Slab Room Addition Porch Deck Shed
 Solar Fireplace Woodburning Stove Single Family
 Fence/Wall (complete Section 4) Other: White oak tree removal

1B. Construction cost estimate: \$ 2,100
1C. If this is a revision of a previously approved active permit, see Permit # N/A

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: N/A
2B. Type of water supply: 01 WSSC 02 Well 03 Other: N/A

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches N/A
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 On party line/property line Entirely on land of owner On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Thomas Twomey 12/7/19
Signature of owner or authorized agent Date

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: _____
Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. **WRITTEN DESCRIPTION OF PROJECT**

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

The tree is at the edge of the driveway, the south side. It is about 20 feet from the back porch. The tree has no bark on the bottom 6 feet.

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

As above

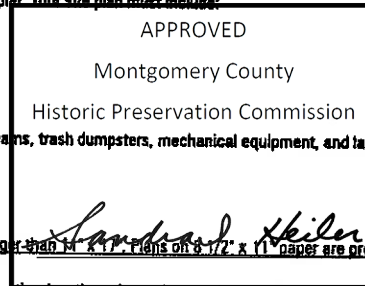
REVIEWED

By Michael Kyne at 3:23 pm, Jan 15, 2020

2. **SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.



3. **PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. **Schematic construction plans**, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. **Elevations (facades)**, with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. **MATERIALS SPECIFICATIONS**

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. **PHOTOGRAPHS**

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. **TREE SURVEY**

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. **ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

For **ALL** projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

REVIEWED

By Michael Kyne at 3:23 pm, Jan 15, 2020

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

APPROVED
Montgomery County

Historic Preservation Commission

Owner's mailing address

Thomas Twomey
650 Gullums Ridge Rd.
Charlottesville, VA
22903

Owner's Agent's mailing address

Sandra Heiler
Same as owner

Adjacent and confronting Property Owners mailing addresses

Keith Chamberlain
Roxanne Fulcher
7104 Maple Ave.
Takoma Park, Md
20912



Public Works Department
Tree Removal Preliminary Response

Date: August 26, 2019

Thomas A Twomey
 850 Gilfarms Ridge Road
 Charlottesville, VA 22903

Re: 7106 Maple Avenue
 Takoma Park, MD 20912

Dear Thomas A Twomey,

In order to receive a permit to remove an urban forest tree within the City of Takoma Park you must agree to replace or contribute an equivalent amount to the City's Tree Fund as per Section 12-12-100 of the City Code. Replacement trees shall be nursery stock trees with a minimum size of 1 1/2 inches in caliper for deciduous trees, or 10 feet in height for evergreen trees and guaranteed for one (1) year. You are required to provide the City with the species and location(s) where you wish to plant the tree(s) as approval is necessary prior to planting. **Tree(s) must be planted within six (6) months of the date this agreement is signed.** The City will conduct a tree inventory of the site and reference the tree type list maintained online here - <https://s3.amazonaws.com/publicworks-takomapark/public/carbonstoree-selection-guide.pdf>

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Where it is not feasible or desirable to replace trees on site, the replacement may be satisfied by planting trees at another location within the City or by a contribution equivalent to the installed market value of the required replacement trees to the City's tree planting fund.

The tree replacement requirements based on the City of Takoma Park Tree Ordinance are stated below:

SEVEN 1 1/2" caliper trees:
 Category 4 deciduous

Thomas A Twomey 8/26/2019
 Signature Date

OR

Tree Fund Payment of: \$1,225.00

(Check payable to City of Takoma Park and return with this letter) Signature Date

The permit will be issued after receipt of this signed tree planting agreement or payment of replacement tree cost. Payment must be made by check to the City of Takoma Park, and submitted to the Public Works Department, 31 Oswego Avenue, Silver Spring, MD 20910.

DATE: 08/27/19

Jan van Zutphen
 Jan van Zutphen
 Urban Forest Manager

Kyne, Michael

From: Jan Van Zutphen <janvz@takomaparkmd.gov>
Sent: Friday, December 27, 2019 2:18 PM
To: Kyne, Michael
Subject: Re: Proposed Tree Removal - 7106 Maple Avenue, Takoma Park

Hi Michael,

Please see my answers below.

On Fri, Dec 27, 2019 at 1:24 PM Kyne, Michael <michael.kyne@montgomeryplanning.org> wrote:

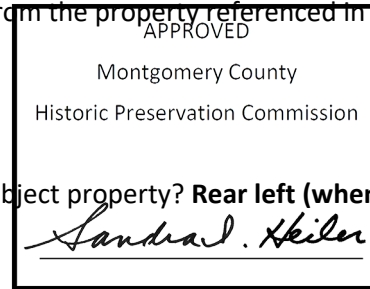
Hi Jan,

REVIEWED

By Michael Kyne at 3:24 pm, Jan 15, 2020

I am currently reviewing a proposal to remove a mature white oak from the property referenced in the subject line. Can you please provide the following information?

- Is the tree located at the northwest (rear/right) side of the subject property? **Rear left (when facing the tree from Maple Ave.):**



https://www.google.com/maps/place/7106+Maple+Ave,+Takoma+Park,+MD+20912/@38.9757346,-77.0142807,3a,15y,304.82h,92.19t/data=!3m6!1e1!3m4!1sxiAg7qI9o7MwtEyPIZ0I_w!2e0!7i16384!8i8192!4m5!3m4!1s0x89b7c89ccc98e47:0x90dd7e074244e66f!8m2!3d38.9758522!4d-77.014371

-
- What is the DBH of the tree? **39"**
- Do you agree with the applicant's assertion that the tree is decaying? **Yes, I agree that it is best the tree be removed. The tree did not meet the City's tree waiver requirements but did meet the preliminary approval requirements.**

Thank you,

Michael Kyne

Planner Coordinator | Historic Preservation Section

Montgomery County Planning Department | M-NCPPC

8787 Georgia Avenue, Silver Spring, MD 20910 | 301-563-3403

Michael.Kyne@montgomeryplanning.org

www.montgomeryplanning.org/historic

REVIEWED

By Michael Kyne at 3:24 pm, Jan 15, 2020

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Jan van Zutphen
Urban Forest Manager
City of Takoma Park Department of Public Works
31 Oswego Avenue
Silver Spring, MD 20910
Ph: 301-891-7612
Fax: 301-585-2405
www.takomaparkmd.gov

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Existing Property Condition Photographs:



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Detail: Oak tree in center of driveway
Large white oak between parking lots at rear of
city property



Detail: Decay at the base of large white oak

Applicant: Thomas Twomey